

## MINUTES

### **FINANCE & ECONOMIC DEVELOPMENT (TOURISM / VISITOR INDUSTRY / SMALL BUSINESS DEVELOPMENT / SPORTS & RECREATION DEVELOPMENT / OTHER ECONOMIC DEVELOPMENT AREAS) COMMITTEE**

September 17, 2014

A meeting of the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee of the County of Kaua'i, State of Hawai'i, was called to order by Mason K. Chock, Sr., Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihue, Kaua'i, on Wednesday, September 17, 2014, at 11:27 a.m., after which the following members answered the call of the roll:

Honorable Gary L. Hooser  
Honorable JoAnn A. Yukimura  
Honorable Ross Kagawa  
Honorable Mason K. Chock, Sr.  
Honorable Tim Bynum, Ex-Officio Member  
Honorable Jay Furfaro, Ex-Officio Member

Excused: Honorable Mel Rapozo

There being no objections, the Committee recessed at 11:27 a.m., to convene in the Committee of the Whole.

The meeting was called back to order at 2:39 p.m., and proceeded as follows:

Minutes of the September 3, 2014 Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee Meeting.

Upon motion duly made by Councilmember Kagawa, seconded by Councilmember Yukimura, and carried by a vote of 4:0:1 (*Councilmember Rapozo was excused*), the Minutes of the September 3, 2014 Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee Meeting was approved.

Bill No. 2546, Draft 1 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Agronomics / Agricultural Use Definition / Reporting*) (This item was Deferred to October 15, 2014.)

Councilmember Yukimura moved to approve Bill No. 2546, Draft 1, seconded by Councilmember Hooser.

Councilmember Yukimura: Now we have amendments.

Committee Chair Chock: I believe we have amendments on this item. I believe that, at least from my perspective I am still waiting for information to come in regarding this proposal but I will continue dialogue. Councilmember Bynum.

Councilmember Bynum, an ex-officio member: There are amendments that were circulated last time we were in Council, we also during the discussion said that we are making efforts to release the County Attorney opinions related to questions that were raised by the public at the first meeting and also seeing how any proposed amendments merge with the existing language of the Bill. Perhaps most importantly still trying to quantify the financial aspects of this Bill. I have said we have been waiting for time to be able to get the data on what agricultural lands are dedicated or used by which entities. We only know the tax map key (TMK) but not how they are divided up. However for these finance issues I believe we can get that data. So I am suggesting and also in consultation with staff that we defer this for two (2) Committee meetings and my intention would be to complete work on all of the amendments by then, vote that day, and move the Bill forward or not.

Committee Chair Chock: Go ahead Council Chair.

Council Chair Furfaro, an ex-officio member: I want a clarification. A deferral for two (2) Committee meetings is four (4) weeks? I want to make sure that we understand we are deferring for four (4) weeks?

Councilmember Bynum: Yes.

Council Chair Furfaro: Okay.

Committee Chair Chock: That is your request? Okay. Another clarification of the Committee, this is connected to ES-753 as well. And so would it be an interest to also move that Executive Session out four (4) weeks or continue? I just wanted to make sure we are...

Council Chair Furfaro: I think the Executive Session item is posted in my Committee for the fact that you had this item and you wanted to go into Executive Session it was available but since you are going to defer the item then I think you defer the Executive Session as well.

Committee Chair Chock: Thank you.

Councilmember Bynum: You know we would...I know you would like to take public testimony (inaudible).

Committee Chair Chock: Let me just get more clarification here on the direction. Councilmember Kagawa did you have more to add?

Mr. Kagawa: No, I just wanted to let the Committee know that if we defer for two (2) Committee meetings that would be October 15, 2014 Committee and like the Council Chair said I think that the Executive Session is the companion. We left it on just in case we wanted to go in and I guess decide if we wanted to release whatever information/opinion we had at least we had that avenue. Thank you.

Councilmember Bynum: And the process to release that opinion would have been completed by then I believe and just a reminder when the Bill got deferred the first time the sense of urgency went away because we are not trying to impact the next fiscal year so we want to get this right, answer all of the questions, release information. Thank you.

Committee Chair Chock: If there is no more discussion on the process here I will move to suspend the rules and ask for public testimony. Would anyone like to testify on this item?

There being no one to give testimony, the meeting proceeded as follows:

Committee Chair Chock: Councilmembers, further discussion before we ask for a deferral? No? I would like to say that I have talked to people in the industry, one (1) person being Mr. Wayne Katayama regarding it and he has painted a...he has given me some good information about what we might want to consider and the impacts or unintended impacts that it may have on the industry; both to infrastructure and also to smaller agriculture operations that larger ones support. I have asked Laurie Ho for more information about any specific operations that would be effected by it from the Farm Bureau perspective so I am waiting for that information. But if nothing else I will entertain a motion to defer. Councilmember Hooser.

Councilmember Hooser: Just a question. In your discussions...I mean I proposed an amendment for discussion which limits the impacts to research and cultivation federally regulated organisms and so in your discussions if you could maybe include that it would be helpful.

Committee Chair Chock: Okay. Thank you for that clarification.

Councilmember Hooser: Because there are different...the original model in terms of income and then there is a model that I introduced. I think Councilmember Yukimura also has one (1) so thank you.

Committee Chair Chock: Any other discussion? Can I have a motion to defer to October 15, 2014?

Upon duly motion made by Councilmember Kagawa, seconded by Councilmember Yukimura, and carried by a vote of 4:0:1 (*Councilmember Rapozo was excused*), Bill No. 2546, Draft 1 was deferred to October 15, 2014. Councilmember Yukimura moved to adjourn the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee meeting, seconded by Councilmember Kagawa, and carried by a vote of 4:0:1 (*Councilmember Rapozo was excused*).

There being no further business, the meeting was adjourned at 2:45 p.m.

Respectfully submitted,



Lori L. Marugame  
Council Services Assistant I

APPROVED at the Committee Meeting held on October 15, 2014:



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MASON K. CHOCK, SR.  
CHAIR, FED COMMITTEE